

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Zakariya Abdikarim,

Case No. 24-CV-3485 (KMM/ECW)

Petitioner,

v.

ORDER

Jesse Jahner, Sheriff, Fargo, ND;
Forbig, Captain – Jail Administrator;
and Christina M. Galewski, Assistant
States Attorney – Ottertail, MN,

Respondents.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Elizabeth Cowan Wright, dated September 13, 2024. Judge Cowan Wright recommends denial of a petition for a writ of habeas corpus by Zakariya Abdikarim, in which he contends that his prosecution in Minnesota state court violates his constitutional right to be free from double jeopardy. *See* ECF 3 (R&R) at 2–5. In recommending denial, Judge Cowan Wright notes that Mr. Abdikarim raised identical arguments in a prior habeas petition, which was similarly denied. *See Abdikarim v. State*, No. 24-CV-2013 (NEB/LIB), 2024 WL 3557772, at *2 (D. Minn. June 17, 2024), report and recommendation adopted, No. 24-CV-2013 (NEB/LIB), 2024 WL 3552960 (D. Minn. July 26, 2024) (explaining that Mr. Abdikarim’s petition failed for the “fundamental reason” that the petition

“makes clear that [he] has never before been in jeopardy resulting from the charges now pending against him, and thus he cannot be in double jeopardy now”).

The district court reviews de novo any portion of an R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). Mr Abdikarim timely filed objections to the R&R. ECF 5. Although Mr. Abdikarim’s objections do not specifically identify any errors in the R&R, the Court will treat them as objecting generally to the conclusions of Judge Cowan Wright. Therefore, out of an abundance of caution, the Court has reviewed the entire R&R de novo. Having done so, the Court concludes that the R&R contains no error whatsoever, Mr. Abdikarim’s objections are overruled, and the R&R is accepted in full.

Therefore, **IT IS HEREBY ORDERED** that:

1. The Petition for a Writ of Habeas Corpus, [ECF 1], is **DENIED**.
2. This matter is **DISMISSED**.
3. Mr. Abdikarim’s application to proceed in forma pauperis [ECF 2] is likewise **DENIED**.
4. No certificate of appealability is issued.

Let judgment be entered.

Date: **December 18, 2024**

s/ Katherine M. Menendez
Katherine M. Menendez
United States District Judge